REMARKS

Claims 1-20 are pending in the present application and are rejected. Claims 2 and 9 are herein amended.

Applicants' Response to Objections to the Specification

The Office Action objected to the abstract of the disclosure because it is more than 150 words in length. In response, Applicants submit an amended abstract of the disclosure.

Applicants' Response to Claim Rejections under 35 U.S.C. §103

Claims 1, 3, 4, and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over DeWolf et al. (U.S. Patent Application No. 2002/0032626) in view of Dinapoli et al. (U.S. Patent No. 3,754,122).

The Office Action argues that **DeWolf** discloses the method as claimed, with the exception of a showing of a usage data collection step. The Office Action relies on **Dinapoli** to teach this usage date collection step, and argues that it would have been obvious to combine these references to achieve the claimed invention.

In response, Applicants respectfully submit that **Dinapoli** teaches away from the claimed invention. **Dinapoli** discloses a system in which usage data is conveyed to a central processing unit 19, where the data is processed in order to calculate a bill based on a customer's usage of a vehicle. See column 6, lines 20-24.

On the other hand, the present invention teaches the use of a rental database 11 which stores data which is provided to the sales database 31 and ultimately the customer's terminal 60. See Figure 1. This database is recited in claim 1. The present application does not utilize a central processing unit as does **Dinapoli**.

DeWolf discloses the use of a database, but not of a central processing unit, while **Dinapoli** discloses the use of a central processing unit, but does not disclose or suggest the use of a database. Therefore, Applicants argue that **Dinapoli** teaches away from the claimed invention and traverse the rejection. Favorable reconsideration is respectfully requested.

Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over DeWolf in view of Dinapoli, and in further view of Ukai et al. (U.S. Patent Application No. 2003/0191581). Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over DeWolf in view of Dinapoli, and in further view of Windle et al. (U.S. Patent No. 4,926,331). Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over DeWolf in view of Dinapoli, and in further view of Lancaster (U.S. Patent No. 2002/0065707).

The Office Action has rejected these claims based on several references. Applicants respectfully submit that these claims are patentable due to their dependence on claim 1, which Applicants believe to be patentable for the reasons stated above. In addition, **Ukai et al.**, **Windle et al.** and **Lancaster** fail to provide the teaching which **DeWolf** and **Dinapoli** lack, as discussed above.

Applicants have, however, noticed that claim 2 requires correction. In the claim, "current state data collection step" has no antecedent basis. Applicants have therefore eliminated this

language. Furthermore, claim 9 has been similarly amended. Favorable reconsideration is respectfully requested.

Claims 8 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ukai in view of DeWolf.

The Office Action argues that **Ukai** discloses the method as claimed, with the exception of a showing of a current state data provision step. The Office Action relies on **DeWolf** to teach this current state data provision step, and argues that it would have been obvious to combine these references to achieve the claimed invention.

Applicants argue that **Ukai** does not disclose a current state data collecting step. Claim 8 recites:

> ...a current state data collecting step in which, while said article is being put up for sale as a secondhand article, current state data that shows the current state of an article are collected at intervals...

Ukai does not disclose that the article is being put up for sale as a secondhand article. Rather, **Ukai** discloses that information on the vehicle is collected and sent to either the complete-car or parts manufacturer, used-car company, government office, or rental car company. See paragraph [0076]. **Ukai** further states that this information is provided for the purposes of marketing, statistical analysis, and feedback for the design team. See paragraph [0006]. **Ukai** suggests that the user will receive some form of payment in exchange for supplying this information. The reference does not disclose or suggest that the vehicle is up for sale as a secondhand vehicle

during this data collection. Therefore, Applicants submit that the Office Action has not established prima facie obviousness with respect to the rejection of claim 8, and traversing the rejection.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ukai in view of DeWolf, and in further view of Lancaster.

Applicants respectfully argue that this claim is patentable due to its dependence on claim 8, which Applicants believe to be patentable for the reasons stated above.

Claims 11, 12, 13, 14, 15, 17 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lancaster in view of Ukai and DeWolf. Claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lancaster in view of Ukai and DeWolf, and in further view of Windle.

In rejecting these claims, the Office Action relied upon **Ukai** for the same reasons as in the rejection of claims 8 and 9. Again, Applicants submit that **Ukai** does not disclose the current state data collecting step of claim 8 for the reasons stated above. Therefore, Applicants do not believe that the Office Action has established prima facie obviousness with respect to these rejections. For at least this reason, Applicants traverse these rejections.

Claims 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lancaster in view of DeWolf.

The Office Action argues that **Lancaster** discloses the system as claimed, with the exception of a showing of a usage history provision means. The Office Action relies on **DeWolf**

to teach this usage history provision means, and argues that it would have been obvious to combine these references to achieve the claimed invention.

Applicants argue that **Lancaster** does not disclose a usage data collection means. Claim 19 recites:

> ...usage data collection means that, when said article has been used, collects usage data that shows the facts relating to the usage of the article...

Lancaster does not disclose a computer system which collects data. In **Lancaster**, the system *requests* the data, but the data must be entered into the input device 150 by an employee or appraiser. See paragraph [0056]. On the other hand, the system of the present application automatically collects usage data. See page 15, line 4 to page 16, line 10. Applicants therefore argue that prima facie obviousness has not been established with regard to this rejection. Applicants respectfully traverse the rejection.

For at least the foregoing reasons, the claimed invention distinguishes over the cited art. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone Applicants' undersigned attorney.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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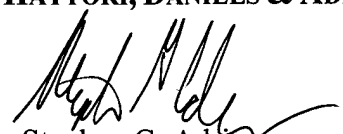

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